

## REMARKS

### Introduction

Claims 1-3, 5-28, and 30-35 are pending. In the Office Action of September 18, 2006, Claims 1-3, 4-28, and 30-33 were rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirement. Claims 27-28 and 30-35 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Also, Claims 27, 28 and 30-35 were rejected under 35 USC § 112(b) as being fully disclosed by Wiley et al., U.S. Patent No. 2,449,355 (hereinafter "Wiley").

### Rejection of Claims 1-3, 4-28 and 30-33 under 35 USC § 112

The Office Action states that the limitation that the rotary coupling be "exterior to the drum assembly" is not described in the original filing. In this regard, the Office Action points out that the Specification states at page 6, line 14, "drum 112 includes a hub assembly 150." The Office Action also indicates that the Abstract uses a reference character "150" to denote the rotary coupling. As a consequence, the Office Action concludes that the rotary coupling is part of the drum assembly, not exterior to the drum assembly according to the Specification.

Applicant notes that a typographical error occurred in the Abstract. The rotary coupling should have been designated as reference character "115." The Specification at page 5, line 22, identifies the rotary coupling as reference number "115." Moreover, throughout the remainder of the Specification the rotary coupling is designated by reference character "115," and the hub assembly is designated by reference character "150." An appropriate correction has been made to the Abstract. Moreover, to improve its clarity, Claim 1 has been amended to specify that the rotary coupling is disposed within the shell structure and exterior to the interior of the drum assembly. That the rotary coupling be exterior to the interior drum assembly is only logical since the rotary coupling is used to direct process fluid into the drum assembly. Applicant respectfully

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

submits that with the foregoing amendments and remarks, rejection of Claims 1-3, 4-28 and 30-33 under 35 USC § 112 be withdrawn.

Rejection of Claims 27, 28 and 30-35 under 35 USC § 112

Claims 27, 28 and 30-35 were rejected under 35 USC § 112, second paragraph, as being indefinite. The Office Action indicates that it is unclear if a "shell" or a "drum assembly" are required elements of the claimed structure. Claims 27, 28 and 30-35 have been amended to specify that the shell structure and drum assembly are not required elements of the claimed structure. Also, Claim 27 has been amended to specify an improved process fluid distribution system for an agitating retort, having a shell structure and a drum assembly rotatable within the shell structure, with the drum assembly configured to receive products to be processed within the agitating retort. Similarly, Claim 34 has been amended to specify for an agitating retort having a shell structure and a drum assembly rotatable within a shell structure, a process fluid distribution system.

Applicant respectfully submits that, with the foregoing amendments and remarks, the rejection of Claims 27, 28 and 30-35 under 35 USC § 112 should be withdrawn.

Rejection of Claims 27, 28 and 30-35 under 35 USC § 102

Claims 27, 28 and 30-35 were rejected under 35 USC § 102(b) as being anticipated by Wiley. Applicant respectfully submits that Wiley is not relevant to the present invention. Wiley relates to a rotary coupling to heat the screw 10 of a plastic extruder. As such, Wiley is not relevant to the present invention, which pertains to distribution of process fluids to the interior of a rotating retort drum.

Even if Wiley were relevant to the present invention, it does not disclose nor suggest the structure of Claims 27, 28 or 30-35. In Wiley, neither the steam from inlet pipe 40 nor the heating fluid from inlet pipe 32 is actually distributed through a plurality of process fluid distribution outlets as now specified in Claim 27. Rather, the steam from inlet pipe 40 simply

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

flows into the torpedo 11 through pipe 15, and then is removed from the torpedo through pipe 16, which is in communication with a transverse passage 38. Likewise, heating fluid from inlet line 32 is routed to the rearward end of the torpedo 11, and then removed therefrom through pipe 19, that is in communication with the transverse passageway 29, connected to outlet pipe 30.

Claim 27, on the other hand, specifies an improved process fluid distribution system for an agitating retort, comprising a plurality of process fluid distribution outlets disposable within and carryable by a drum assembly. Claim 27 as amended also specifies a rotary coupling disposable within a shell structure and exterior to an interior of a drum assembly. The rotary coupling is in fluid flow communication with the plurality of process fluid distribution outlets to direct process fluid, during rotation of a drum assembly, from the exterior of a drum assembly to a plurality of process fluid distribution system outlets locatable within a drum assembly. This structure is not disclosed nor suggested by Wiley.

Further, Claim 34 as amended specifies a process fluid distribution system for an agitating retort, having a shell structure and a drum assembly. The distribution system comprises a plurality of process fluid distribution lines disposable within the interior of a drum assembly, with at least some of the plurality of distribution lines comprising outlets for directing process fluid into a drum assembly. Moreover, Claim 34 specifies a rotary coupling in fluid flow communication with the plurality of distribution lines to direct process fluid into the distribution lines locatable within the interior of a drum assembly. Wiley does not disclose nor suggest a plurality of distribution lines locatable within the drum assembly or a rotary coupling to direct process fluid to such plurality of distribution lines.

As noted above, Wiley discloses one central inlet connected to one radial outlet 38 and one radial inlet 31 connected to one radial outlet 29, for supplying and returning two fluids from the torpedo of the screw of a plastic extruder. The purpose in Wiley is to keep two fluid streams separate to heat two different parts of the central screw of the extruder. Thus, Wiley not only is

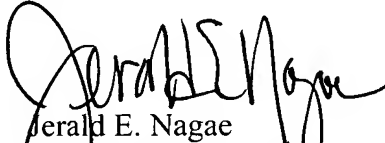
structurally dissimilar from the present invention, but functionally has nothing to do with the present invention. Thus, Wiley not only does not disclose nor suggest the present invention as set forth in Claims 27, 28 and 30-35 as amended.

Closure

Based on the foregoing amendments and remarks, Applicant respectfully submits that all of the pending claims in the present application are now allowable. If the Examiner has any questions concerning the foregoing, he is requested to telephone the undersigned at the number listed below.


Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>

  
Gerald E. Nagae  
Registration No. 29,418  
Direct Dial No. 206.695.1705

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first-class mail with postage thereon fully prepaid and addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: November 20, 2006

  
\_\_\_\_\_

JEN:hjd

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100